

Remarks

The Office Action mailed May 1, 2006 has been received and reviewed. Claims 9, 11, 12 and 16 have been amended, claims 19-40 have been withdrawn, leaving claims 1-18 pending in this application.

Election/Restriction

Applicant affirms that claims 1-18 are currently being prosecuted and that claims 19-40 have been withdrawn from further consideration.

Claim Rejections - 35 USC 102

The examiner has rejected claims 1-18 under 35 USC 102(e) as being anticipated by Sherman et al. (US 2002/0020688). Applicant respectfully disagrees. In particular, the examiner refers to Figure 11 which shows a plurality of hollow microneedles as anticipating claims 1-18.

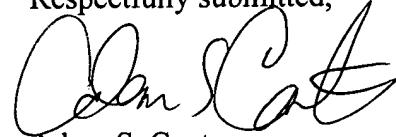
Original claims 1-8 require at least one microneedle with a flat tip distal from the base. Figure 11 of Sherman shows a hollow microneedle where the sides of the microneedle taper to a sharp edge defining the outer perimeter of a hollow bore. Thus the microneedles of Sherman do not possess a flat tip, but rather a sharp circular edge at the tip of the needle.

Claims 9-16 as currently amended require a solid cross-sectional area of 20 square micrometers or more when measured at a specific plane near the tip of the needle (i.e., measured in a plane located at a distance of 0.98h from the base). Figure 11 of Sherman shows a hollow microneedle where the sides of the microneedle taper to a sharp edge defining the outer perimeter of a hollow bore. The solid cross-sectional area measured in a specific plane near the tip is not specifically denoted or calculated within Sherman, but given the sharp edge that the needles taper to, it can be expected that the solid cross-sectional area near the tip would be negligibly small and certainly less than 20 square micrometers.

Claims 17 and 18 are method claims depending from claims 1 and 9, respectively, and are thus patentable for the reasons discussed above.

Applicant respectfully requests reconsideration and allowance of the claims as currently amended.

Respectfully submitted,



Adam S. Cantor
Registration No. 48,432
Attorney for Applicants

NML:jlh/57901US005 Amd to OA 5-1-06
Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
(651) 737-7524
Facsimile: (651) 736-3833

Dated: *August 1, 2006*